

Jury demand date: Demand for Jury Trial on 1-12-72

D. C. Form No. 106A Rev.

TITLE OF CASE			ATTORNEYS				
GLEN O. ASH, Plaintiff, vs. STUPP CORPORATION, Defendant.			For plaintiff:				
			John S. Estill, Jr., <i>Fred Nelson</i> Thomas F. Golden Hall, Estill, Hardwick, Gable & Collingsworth 805 National Bank of Tulsa Bldg. Tulsa, Okla. 74103				
			For defendant:				
			James L. Kincaid <i>585-5711</i> Conner, Winters, Ballaine, Barry & McGowen 711 First National Building Tulsa, Oklahoma 74103				
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed <i>1-1-72</i>	Clerk		12-3-71	J. Estill	15.00		
			12-9-71	C.D.No.26		15	00
J.S. 6 mailed <i>2-1-74</i>	Marshal						
Basis of Action: Breach of Contract	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-3-71	Complaint filed and summons issued. v	
12-10-71	Return on Secretary of State, filed. Executed by forwarding copy of summons and petition to Stupp Corporation, by mailing copy as certified mail, return receipt requested, P. O. Box 3557, Baton Rouge, La. 70821. ds	
12-27-71	Return of service on Secretary of State, filed. Service had on 12/9/71, (with fees of \$5.44) rm	
12-27-71	Return of service on James H. Hynes, filed. Service had on 12/15/71. (fees \$4.44) rm	
12-27-71	Return of service on Gaylord Goodart, filed. Service had on 12/13/71. (fees \$3.00) rm	
12-29-71	Application for extension of time to file pleading, filed. ds	
12-29-71	Defendant granted an extension of 15 days to 1-13-72 to plead or answer, filed. ds	
1-11-72	Answer of defendant, filed. rm	
1-12-72	Demand for Jury Trial by the Plaintiff, filed. v	
1-31-72	Motion to strike of plaintiff, filed. rm	
1-31-72	Brief in support of pltf. motion to strike, filed. rm	
1-31-72	Ordered by the Court that def. shall have 10 days in which to answer pltf. motion to strike. (AEB-J) rm	
2-1-72	Request for admission of facts, filed by plaintiff. ds	
2-3-72	Deft.'s Response to Plaintiff's Motion to Strike and Contingent Motion to Strike, filed. v	
2-3-72	Deft.'s Brief in Support of Deft.'s Response to Plaintiff's Motion to Strike and Contingent Motion to Strike, filed. v	
2-3-72	Ordered by the Court that Plaintiff is granted 10 days to respond to Deft.'s Contingent Motion to Strike. (AEB-J)v --copies mailed.	
2-14-72	Pltf.'s response to def.'s contingent motion to strike, filed. rm	
2-14-72	Pltf.'s brief in support of pltf.'s response to def.'s contingent motion to strike, filed. rm	
2-16-72	Application of def. for order granting time within which to file brief in response to pltf.'s brief, filed. rm (Order to J)	
2-25-72	Order granting def. time within which to file brief to 3/6/72. (AEB-J) copy mailed	
3-6-72	Application for leave to file motion to dismiss by defendant, filed. ds	
3-6-72	Defendant's reply brief to plaintiff's brief in support of plaintiff's response to defendant's contingent motion to strike, filed. ds	
3-7-72	Response of def. to request for admission of facts, filed. rm	
3-14-72	Response of pltf. to def.'s appl. for leave to file mo. to dismiss, filed. rm	
3-14-72	Brief in support of above response, filed. rm	
3-14-72	Ordered that Magistrate conduct hearing on pltf's motion to strike & deft's contingent motion to strike. (AEB-J)hm	
3-14-72	Hearing held on above motions. Both motions taken under advisement and Magistrate will make findings & recommendations within 7 days. (MLB-Mag)hm	
3-29-72	Findings & Recom. of Magistrate that pltf.'s mo. to strike be sustained; def.'s contingent no. to strike be denied; def.'s appl. for leave to file mo. to dismiss be denied. Pltf. to prepare F&R within 5 days and submit for Mag. signature; def. to have 10 days thereafter to file obj. w/brief & order. (MLB-Mag.)rm	
4-3-72	Findings and recommendations of magistrate, filed. (Deft. to file objections within 10 days if he desires.)hm	
4-4-72	Deposition of Glen O. Ash, on behalf of deft., filed. g (M. Ballard, LSR)	
4-6-72	Application of the Deft. for extension of time within which to file objections to Findings and recommendations of Magistrate, filed. v	

(Continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-7-72	Order extending time within which to file objections to findings and recommendations of Magistrate (deft.), to 4-23-72, filed. (AEB-J)hm (copies mailed)	
4-19-72	Transcript of hearing 3-14-72, filed. hm	
4-24-72	Objections to Findings and Recommendations of Magistrate by the Dft., filed. v	
4-24-72	Brief in Support, filed. v	
4-25-72	Ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft.'s Objections to Findings and Recommendations of the Magistrate. (AEB-J)v	
5-1-72	Deposition of Howard E. Midkiff filed. Janel L. Parker & Associates, Baton Rouge, La. reporter. ds	
5-3-72	Pltff's application for extension of time within which to file response to def't's objections to findings and recommendations of Magistrate, filed. hm <i>oto j</i>	
5-4-72	Order extending time for pltf. to respond to def. obj. to F&R of Mag. to 5/15/72. (AEB-J) rm - copies mailed	
5-15-72	Reply of pltf. to def.'s obj. to F&R, and brief, filed. rm	
5-19-72	Request for production of documents under Rule 34 by pltf., filed. rm	
6-19-72	Obj. of def. to req. for prod. of documents, w/brief filed. rm	
6-19-72	Ordered that pltf. is granted 10 days to respond to def.'s obj. to request for production of documents. (AEB-J)rm - ltr. mailed	
6-29-72	Response of plaintiff to def't's objection to request for production of documents under Rule 34, filed. g	
6-29-72	Memorandum brief of pltf. in support of pltf's response to def't's obj. to request for production of documents, filed. g	
7-14-72	Order sustaining def.'s obj. to F&R of Magistrate; order denying pltf.'s motion to strike; order denying def.'s contingent motion to strike; and order sustaining def.'s application for leave to file motion to dismiss, with provision that said motion be determined upon completion of discovery and pre-trial. (AEB-J)rm - copies mailed	
11-15-72	Ordered that Magistrate conduct hearing on def't's objection to request for production of documents under Rule 34. (AEB-J)hm	
11-15-72	Hearing held on above objection. Objection to request for prod. of documents is sustained as to contract of purchase between Stupp Corp. & Explorer Pipeline Co.; & by stipulation, def't. agreed to furnish purchase orders, delivery tickets & other data reflecting the amt. of tonnage sold & delivered by def't. to Explorer. Pltf. to prepare F&R within 5 days. (MLB-Mag)hm	
11-21-72	Findings and recommendations of magistrate, filed. (MLB-Mag)hm (copies mailed)	
12-4-72	Order approving recommendations of magistrate, filed; def't's objections to request for production of documents sustained with exceptions, filed. (AEB-J)g cpies mailed.	
12-6-72	Appl. of pltf. for ext. of time to file objts. to F&R, filed. rm <i>copies mailed</i>	
10-5-73	Order overruling pltf. app/ext. time to obj. to F&R. (AEB-J)rm <i>copies mailed</i>	
12-12-73	<i>ready PT -</i> MO: Parties directed to hold PT conference prior to 1-21-74, & file PT order not later than 1-30-74. (AEB-J)v -notices mld.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-1-74	Stipulation of parties for dismissal with prejudice, filed. (order to Judge) ds & entered	
2-5-74	Order, filed/ Dismissing with Prejudice. (AEB-J)jj - copies mailed -	